

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

LEHMAN BROTHERS SECURITIES AND
ERISA LITIGATION

This Document Applies to:

*In re Lehman Brothers Equity/Debt Securities
Litigation*, 08 Civ. 5523 (LAK)

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: Civil Action 09 MD 2017
: (LAK)
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: **DECLARATION OF**
: **BREON S. PEACE**
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Pursuant to 28 U.S.C. § 1746, Breon S. Peace declares as follows:

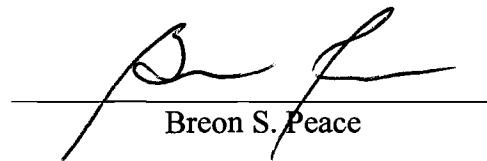
1. I am an attorney admitted to practice before this Court and a partner at Cleary Gottlieb Steen & Hamilton LLP, counsel to Defendant Daiwa Securities SMBC Europe Limited. I submit this declaration in support of the Defendant's Memorandum in Support of Its Motion to Dismiss, dated April 27, 2009 ("Defendant's Memorandum").

2. Attached hereto are true and correct copies of the following documents, which are referenced in Defendant's Memorandum:

EXHIBIT 1: Plaintiffs' Second Amended Consolidated Class Action Complaint, dated February 23, 2009.

EXHIBIT 2: Process Server David Oliver's Affidavit of Service of Summons (and Complaint), dated March 13, 2009

Dated: New York, New York
April 27, 2009



Breon S. Peace